

Miles M. Masog, #024927
RENAUD COOK DRURY MESAROS, PA
One North Central, Suite 900
Phoenix, Arizona 85004-4417
Telephone: (602) 307-9900
Facsimile: (602) 307-5853
*Attorneys for Defendant Convergent
Outsourcing, Inc.*

E-mail: doCKET@rcdmlaw.com
mmasog@rcdmlaw.com

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Spencer Amerin,

Plaintiff,

v.

Convergent Outsourcing, Inc.

Defendant.

No. _____

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant, Convergent Outsourcing, Inc. (“COI”), through undersigned counsel, hereby removes this action from the Maricopa County Justice Court, State of Arizona to the United States District Court for the District of Arizona. In support of this Notice of Removal, COI states:

1. On January 24, 2022, Plaintiff, Spencer Amerin (“Plaintiff”), commenced a civil action in Maricopa County Justice Court, State of Arizona, entitled and captioned as *Spencer Amerin v. Convergent Outsourcing, Inc.*, Civil Action No. CC2022012612SC (hereinafter the “State Court Action”). No further proceedings before the State Court have occurred.

2. In the Complaint, Plaintiff alleges statutory causes of action against COI under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692, *et seq.* A true and correct copy of Plaintiff’s Complaint is attached hereto as **Exhibit A.** Therefore, this Court has jurisdiction over the State Court Action pursuant to 28 U.S.C. § 1331 because plaintiff’s Complaint alleges a cause of action arising under the

(Page 1,)

1 laws of the United States. Because Plaintiff affirmatively alleges violations of the
 2 FDCPA, the Complaint asserts a federal question under 28 U.S.C. § 1331 and is
 3 removable pursuant to 28 U.S.C. § 1441.

4 3. COI received a copy of the Summons and Complaint on February 3,
 5 2022.

6 4. The time within which COI is required by the laws of the United States,
 7 28 U.S.C. § 1446(b), to file this notice of removal has not yet expired. This Notice of
 8 Removal is timely, having been filed within 30 days of the date on which COI was
 9 served with a copy of the Summons and Complaint. *See* 28 U.S.C. § 1446.

10 5. The Maricopa County Justice Court, State of Arizona, is located within
 11 the United States District Court for the District of Arizona. Therefore, venue for
 12 purposes of removal is proper because the United States District Court for the District
 13 of Arizona embraces the place in which the removed action was pending. *See* 28
 14 U.S.C. § 1441(a).

15 6. Written notice of this Notice of Removal of this action is being
 16 immediately provided to the Maricopa County Justice Court, State of Arizona. *See*
 17 **Exhibit B** attached hereto.

18 7. Written notice of this Notice of Removal of this action is being caused to
 19 be served on all counsel and parties of record, including Plaintiff through her counsel.

20 WHEREFORE, Defendant, Convergent Outsourcing, Inc., hereby gives notice
 21 that this action is removed from the Maricopa County Justice Court, State of Arizona,
 22 to the United States District Court for the District of Arizona.

23 RESPECTFULLY SUBMITTED this 15th day of February, 2022.

24 RENAUD COOK DRURY MESAROS, PA

25 By s/ Miles M. Masog

26 Miles M. Masog
 27 One North Central, Suite 900
 28 Phoenix, Arizona 85004-4417
*Attorneys for Defendant Convergent
 Outsourcing, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on this 15th day of February, 2022, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing and transmitted a Notice of Electronic Filing to the following CM/ECF participants:

I have also served the attached document via U.S. Mail on the following persons who are not registered participants of the CM/ECF System:

Spencer Amerin
3820 South 375th Ave.
Tonopah, Arizona 85354
Plaintiff Pro Per

By s/ meb